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EXAMINER

HANNE, SARA M

ART UNIT PAPER NUMBER

2179

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/911,733

Applicant(s)

KLING ET AL.

Examiner

Sara M. Hanne

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

RD

DETAILED ACTION

1. Examiner notes Claims 1-16, 18 and 20-23 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-5, 13-14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al., US Patent 6516324, hereinafter Jones, and further in view of Kwarizadeh et al., US Patent 6384728, hereinafter Kwarizadeh.

As in Claim 1, Jones teaches a data-displaying interface with a page including fields for selecting a desired institution (Figure 3, ref. 44) and a desired period (Figure 3, ref. 52, 54, 56) along with a button (Figure 3, Ref. 66) for displaying one of a plurality of reports (Figure 3, Ref. 60) containing information that corresponds with the selected institution and time period (Col. 7, line 40 et seq.). While Jones teaches generating an interface for selecting an institution and period and generating reports via a button corresponding to the selected information, they fail to teach generating the information relating to usage of specific incontinence products as recited in the claim. In the same field of the invention, Kwarizadeh teaches a product monitoring system similar to that of Jones. In addition, Kwarizadeh further teaches the monitoring of incontinence

products (Column 4, lines 4 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones and Kavarizadeh before him at the time the invention was made, to modify the interface for selecting an institution and period and generating reports via a button corresponding to the selected information taught by Jones to include the incontinence product data of Kavarizadeh, in order to obtain a reporting system for incontinence product usage. One would have been motivated to make such a combination because a way to remotely monitor usage of incontinence products would have been obtained, as taught by Kavarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

As in Claim 2, Jones teaches the page has the means for selecting one or more periods for display on one of the reports (Figure 3, ref. 52, 54, 56).

As in Claim 4, Jones teaches a subsequent page from button activation, with content being chosen from the last displayed report of the plurality of reports (actuate button 66).

As in Claim 5, Jones teaches a summary report including information pertaining to products used (scanner used) in the selected institution and time period (Facility 44, Period 52).

As in Claim 13, Jones teaches a method comprising providing a GUI accessible through user login (Fig 1, ref. 14 and corresponding text), generating and displaying a report based on user selected institutional information (Figure 3, ref. 44), and user selected periods of time (Figure 3, ref. 52, 54, 56) for specific information relating to products used in the institution selected during the periods of time selected (See also

Claim 1 rejection *supra*). While Jones teaches the method and GUI for selecting an institution and time period, and generating corresponding reports, they fail to show the data relating to incontinence products as recited in Claim 13. In the same field of the invention, Kawarizadeh teaches a product monitoring system similar to that of Jones. In addition, Kawarizadeh further teaches the monitoring of incontinence products (Column 4, lines 4 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones and Kawarizadeh before him at the time the invention was made, to modify the GUI and method of querying product usage databases taught by Jones to include the incontinence product data of Kawarizadeh, in order to obtain a reporting system for incontinence product usage. One would have been motivated to make such a combination because a way to remotely monitor usage of incontinence products would have been obtained, as taught by Kawarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

As in Claim 14, Jones teaches the institution selected through the GUI to be a hospital (Fig. 3, ref. 44 and corresponding text).

As in Claim 22, While Jones teaches such a system for displaying product usage data, they fail to show the specific information relating to incontinence products is utilized to regulate incontinence care for patients in an institution as recited in the claims. In the same field of the invention, Kawarizadeh teaches a product monitoring system similar to that of Jones. In addition, Kawarizadeh further teaches the monitoring of incontinence products (Column 4, lines 4 et seq.) utilized to regulate incontinence care for patients in an institution (Column 4, line 5 et seq.). It would have been obvious

to one of ordinary skill in the art, having the teachings of Jones and Kavarizadeh before him at the time the invention was made, to modify the product usage reporting system taught by Jones to include the specific incontinence products data used to regulate incontinence care for patients in an institution of Kavarizadeh in order to obtain incontinence product usage reports used to regulate incontinence care. One would have been motivated to make such a combination because a way to remotely monitor usage of incontinence products for multiple patients would have been obtained, as taught by Kavarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

4. Claims 3, 8-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones, US Patent 6516324, and Kavarizadeh, US Patent 6384728 and further in view of Cunningham et al., US Patent 6029139.

Jones teaches a method comprising generating a GUI with user selectable fields for specific institutions (Figure 3, ref. 44), a field for time periods (Figure 3, ref. 52, 54, 56), a field for number of time periods (Figure 3, ref. 52), and a button (Fig. 3 ref. 66), which when activated, generates a report (Figure 3, Ref. 66) chosen from a plurality, that contains information relating to the selected institution and specific time period (Column 7, lines 40 et seq.). While Jones teaches generating an interface with fields for an institution, time period and number of time periods and generating reports via a button corresponding to the selected information, they fail to teach generating the information relating to usage of specific incontinence products as recited in the claim. In the same field of the invention, Kavarizadeh teaches a product monitoring system similar to that of Jones. In addition, Kavarizadeh further teaches the monitoring of

incontinence products (Column 4, lines 4 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones and Kavarizadeh before him at the time the invention was made, to modify the interface with fields for an institution, time period, number of time periods and generating reports via a button corresponding to the selected information taught by Jones to include the incontinence product data of Kavarizadeh, in order to obtain a reporting system for incontinence product usage. One would have been motivated to make such a combination because a way to remotely monitor usage of incontinence products would have been obtained, as taught by Kavarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

As in Claims 3 and 8, While Jones and Kavarizadeh teach the method and interface for creating reports with information relating to the usage of specific incontinence products from a user selected institution and time period, they fail to show a field for selection currency type to generate the report as recited in the claims. In the same field of the invention, Cunningham et al. teaches a product usage reporting system similar to that of Jones and Kavarizadeh. In addition, Cunningham et al. further teaches a database storage means using different currency types (Table 1, lines 5 and 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones, Kavarizadeh and Cunningham et al. before him at the time the invention was made, to modify the interface for creating reports relating to the usage of specific incontinence products according to a specified institution and time periods taught by Jones and Kavarizadeh to include the currency product data of Cunningham et al., in order to obtain an interface for tracking product usage for specific institutions over

selected time periods using a specific currency type. One would have been motivated to make such a combination because an international reporting system for institutions would have been obtained, as taught by Cunningham.

As in Claims 9 and 15, Jones teaches the creation of a Ward Report (Fig. 1, ref. 46).

As in Claim 10, Jones and Kavarizadeh teach producing a summary report and detail report that may be opened from the summary report interface (Col. 10, line 48 et seq. of Jones) relating to the usage of specific incontinence products (See Claim 8 rejection *supra*). While Jones and Kavarizadeh teach generating such reports, they fail to teach generating a Summary report including information relating to major specific incontinence product groups as recited in Claim 10. Cunningham teaches a data storage and reporting system similar to that of Jones and Kavarizadeh. In addition Cunningham teaches major product groups in a Summary report (for example Col. 4 lines 65 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones and Kavarizadeh and Cunningham before him at the time the invention was made, to modify the interface for creating summary and detailed reports relating to the usage of specific incontinence products according to a specified institution and time periods taught by Jones and Kavarizadeh to include and major product group summary report of Cunningham, in order to obtain an interface for presenting product usage by major product groups and detailed reports over selected time periods. One would have been motivated to make such a combination because a

detailed reporting system for product usage would have been obtained, as taught by Cunningham.

As in Claim 11, Jones and Kavarizadeh teach major product groups comprised of specific incontinence products and Cunningham teaches product groups related to a major product group (Claim 8 and 9 rejections *supra*).

As in Claims 12, Jones and Kavarizadeh teach the detailed report including information relating to specific incontinence products and Cunningham teaches a major product group (Claims 8 and 9 rejection *supra*).

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones, US Patent 6516324, and Kavarizadeh, US Patent 6384728, and further in view of Amado, US Patent 5701400.

Jones and Kavarizadeh teach summary reports relating to the usage of specific incontinence products to be generated (See rejections *supra*). While Jones and Kavarizadeh teach reports relating to the usage of specific incontinence products associated with product usage, they fail to include a graph pertaining to such data including a cost versus budget graph as recited in the claims. In the same field of the invention, Amado teaches a reporting system similar to that of Jones and Kavarizadeh. In addition, Amado further teaches cost graphs pertaining to stored product usage/consumption and budget (Figure 55 and corresponding text). It would have been obvious to one of ordinary skill in the art, having the teachings of Jones and Kavarizadeh and Amado before him at the time the invention was made, to modify the product usage interface and reporting system relating to the usage of specific

incontinence products taught by Jones and Kavarizadeh to include the cost and budget graphs for product usage of Amado, in order to obtain a graph representing the cost and budget figures for product usage relating to the usage of specific incontinence products pertaining to a specific institution and time period. One would have been motivated to make such a combination because a graphical representation of the analysis data results would have been obtained, as taught by Amado.

6. Claims 16, 18, 20, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al., US Patent 5974396, hereinafter Anderson, and further in view of Kavarizadeh, US Patent 6384728.

As in Claims 16 and 23, Anderson a product cost control method comprising storing data representative of product use ("The data is transaction data that describes the sales of a given product" Column 2, line 67 – Column 3, line 1), creating a GUI accessible by a user including access to a plurality of reports containing information based on the data ("various queries and requests of the consumer product purchase repository 26 are formatted and transmitted by a retailer via user interfaces 60 and 66", Column 8, lines 15-19), and providing an interface from one of the reports containing administrator analysis information pertaining to the data ("Repository Changes – Updates made by database information administrator to the database via the retailer interface", Column 14, lines 14-17), the analysis information to be related to product usage over a specific period of time (Column 10, line 29 – Column 11, line 19). While Anderson teaches such a system for displaying product usage data, they fail to show the data relating to incontinence products as recited in the claims. In the same field of

the invention, Kavarizadeh teaches a product monitoring system similar to that of Anderson. In addition, Kavarizadeh further teaches the monitoring of incontinence products (Column 4, lines 4 et seq.) utilized to regulate incontinence care for patients in an institution (Column 4, line 5 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Anderson and Kavarizadeh before him at the time the invention was made, to modify the product usage reporting system taught by Anderson to include the incontinence products of Kavarizadeh, in order to obtain incontinence product usage reports. One would have been motivated to make such a combination because a way to remotely monitor usage of incontinence products for multiple patients would have been obtained, as taught by Kavarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

As in Claim 18, Anderson further teaches the analysis information to be related to product usage over a specific period of time (Column 10, line 29 – Column 11, line 19).

As in Claim 20, Anderson teaches such a system for displaying product usage data, they fail to show the administrator analysis information pertaining to the data is utilized to regulate incontinence care for patients in an institution as recited in the claims. In the same field of the invention, Kavarizadeh teaches a product monitoring similar to that of Anderson. In addition, Kavarizadeh further teaches the administrator analysis information pertaining to the data is utilized to regulate incontinence care (Col. 12, line 59 et seq.) for patients in an institution (Column 4, line 5 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Anderson and Kavarizadeh before him at the time the invention was made, to modify the product

usage reporting system taught by Anderson to include the incontinence products data used to regulate incontinence care of Kawarizadeh, in order to obtain incontinence product usage reports used to regulate incontinence care. One would have been motivated to make such a combination because a way to calculate usage and need of hospital incontinence products would have been obtained, as taught by Kawarizadeh (Col. 1, lines 25-33 and Col. 3, lines 26-35).

As in Claim 21, Anderson teaches such a system for displaying product usage data and the administrator analysis information pertaining to the data is utilized to create a specific manufacturing cycle (Col. 11, line 20 et seq.), they fail to show utilization of incontinence products as recited in the claims. In the same field of the invention, Kawarizadeh teaches a product monitoring similar to that of Anderson. In addition, Kawarizadeh further teaches the administrator analysis information pertaining to the data is utilized to create a specific cycle of the incontinence products monitoring (Column 4, lines 4 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Anderson and Kawarizadeh before him at the time the invention was made, to modify the product usage reporting system and manufacturing cycle creation taught by Anderson to include the incontinence products of Kawarizadeh, in order to obtain an incontinence product usage cycle incontinence care. One would have been motivated to make such a combination because a way meet the needs of hospital's incontinence product usage would have been obtained, as taught by Kawarizadeh.

Response to Arguments

Applicant's arguments with respect to Claims 1-16, 18 and 20-23 have been considered but are moot in view of the new ground(s) of rejection.

In light of the appeal brief filed 4/28/05, the examiner feels that the previously cited Kanor reference may not clearly illustrate the usage of multiple incontinence products in an institution as recited in the claim language, therefore finality is withdrawn. However, the examiner feels that the newly cited reference Kwarizadeh, fully illustrates the aspects missing in the previous rejection.

Conclusion

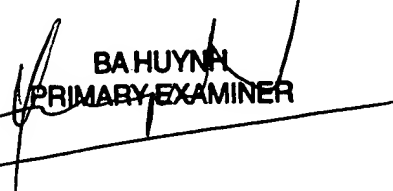
The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar reporting devices for incontinence monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M. Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Smh


BA HUYNH
PRIMARY EXAMINER